

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and specification.

Status of the Claims

In the present Reply, claims 6-15 have been added as being drawn to other embodiments of the present invention and presented for the Examiner's consideration. This makes claims 1-15 as pending in the present application.

No new matter has been added by way of these new claims because each new claim is supported by the present specification and originally filed claims. For example, new claims 6, 8 and 12 have support in the present specification at least at page 9, lines 12-19 and 32+. Also, new claims 7, 9 and 13 are supported at page 9, lines 12-19 of the written description. Further, new claims 10 and 14 have support in original claim 4 and at page 5, lines 21-23 of the present specification. In addition, new claims 11 and 15 have support in the specification in the paragraph bridging pages 10-11 of the specification and originally filed claim 5. Thus, no new matter has been added.

The present specification has been amended to refer to the related application. No new matter has been added.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Objection to Specification

The specification is objected for the reasons stated at the top of page 2 of the Office Action. Applicants submit that reference is now made to the related application. Thus, withdrawal of this objection is respectfully requested.

Issues under 35 U.S.C. § 103(a)

Claims 1-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Angelopoulos et al. '027 (U.S. Patent No. 6,653,027) in view of Ikuta '616 (U.S. Published Applic. No. 20030003616 A1) and Andreas '562 (U.S. Patent No. 6,635,562). Applicants respectfully traverse, and reconsideration and withdrawal of this rejection are respectfully requested.

Applicants herein submit a certified translation of the priority document for the present application, which is Japanese Applic. No. 2001-237670 (filed on August 6, 2001). Because priority was already claimed to this document, Applicants are entitled to benefit of priority to the August 6, 2001 date.

With regard to the instant rejection (Angelopoulos '027 combined with Ikuta '616 and Andres '562), Applicants submit that Ikuta '616 was filed as the international application PCT No. PCT/JP01/01702 on February 15, 2001 (see the cover of Ikuta '616). However, the

publication of the PCT application was in Japanese, not English, and was published on August 23, 2001 as WO 01/61760 (hereinafter "WO '760"). Thus, Ikuta '616 is entitled only to its PCT publication date under 35 U.S.C. § 102(a). Because Applicants are entitled to the August 6, 2001 priority date (discussed above), Ikuta '616 is not effective as prior art to the present application. Accordingly the allegation of *prima facie* obviousness of claims 1-5 fails and the instant rejection should be withdrawn.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.


Application No. 10/606,894
Amendment dated August 22, 2005
Reply to Office Action of Mary 23, 2005

Docket No.: 0171-0983P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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